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Attorneys for Defendant
JARETT J. ELM

FILED
DISTRICT COURT OF GUAM
AUG 23 2006 *hbr*
MARY L.M. MORAN
CLERK OF COURT

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 05-00053-004
)	
Plaintiff,)	
)	OBJECTIONS TO PRESENTENCE
vs.)	REPORT
)	
JARETT J. ELM,)	
)	
Defendant.)	
_____)	

COMES NOW Defendant, by and through counsel, and continues in his objections to the presentence investigation report previously filed. The substance of the objections remains the same. However the paragraph numbers referred to have changed as an "Updated Presentence Investigation Report" has been filed. For the Court's convenience the prior objections are set forth again *verbatim* with the exception that the prior paragraph numbers have been struck and the paragraph numbers which apply to the "Updated Presentence Investigation Report" have been included in bold.

The for his objections to the presentence investigation report [defendant] objects to the following:

ORIGINAL

USA v. Elm, Criminal Case No. 05-00053-004
Objections to Presentence Report
November 10, 2005

1. that part of paragraph ~~39~~ **40** which states that Defendant was aware of the scope and structure of the conspiracy;

2. paragraphs ~~50~~ **51** and that part of ~~39~~ **40** which provides for a two level decrease in offense level as an adjustment downward for Defendant's role in the offense.

Defendant's offense level should be reduced by 4 offense levels for his role in the offense. He was unaware of the scope and structure of the conspiracy and his involvement in the conspiracy was minimal.

If Defendant's objections are sustained, his total offense level will be 22.

Defendant believes it will take the Court no longer that fifteen to twenty minutes to resolve the above stated objections.

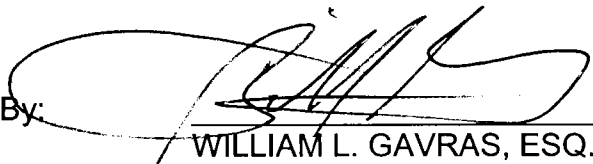
WHEREFORE, Defendant prays that his objections be sustained.

Respectfully Submitted,

LAW OFFICES OF GORMAN & GAVRAS

Date: August 23, 2006.

By:

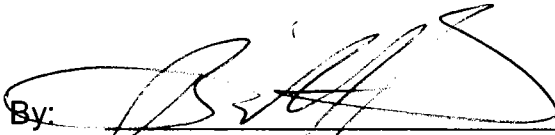

WILLIAM L. GAVRAS, ESQ.
Attorneys for Defendant
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CERTIFICATE OF SERVICE

I certify that I will cause to be served upon the Office of the United States Attorney, Guam and the United States Probation Office, Guam, a true and correct copy of this document on or before August 23, 2006.

LAW OFFICES OF GORMAN & GAVRAS

Date: November 10, 2005.

By: 

WILLIAM L. GAVRAS, ESQ.
Attorneys for Defendant
JARETT J. ELM